



Attorney's Docket No.: 06317-038002

AF/1600
RECEIVED
JAN 15 2003
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Donald W. Petersen et al. Art Unit : 1651
Serial No. : 09/915,997 Examiner : Jean C. Witz
Filed : July 26, 2001
Title : BONE GRAFT SUBSTITUTE COMPOSITION

BOX AF
Commissioner for Patents
Washington, D.C. 20231

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated August 13, 2002, finally rejecting claims 1-15, 31-42.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 2 month(s) to and including January 13, 2003 is enclosed.

A check in the amount of \$320 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: January 7, 2003

Tu N. Nguyen

Tu N. Nguyen
Reg. No. 42,934

Fish & Richardson P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

20579656.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

January 7, 2003

Date of Deposit

Kelly K. Hanlon
Signature

Kelly K. Hanlon

Typed or Printed Name of Person Signing Certificate

01/14/2003 CVD111 00000092 09915997

01 FC:1401

320.00 0P